[PROPOSED] AMENDMENT TO BIOLITEC, INC.'S INVALIDITY CONTENTIONS – CASE NO. C08-3129 MMC

Defendants.

Defendant biolitec, Inc. ("biolitec") served its Invalidity Contentions pursuant to Patent Local Rule 3-3 on March 13, 2009. biolitec has recently learned of additional material prior art, which was not known to biolitec as of March 13, 2009 despite diligent searching. biolitec therefore amends its Invalidity Contentions so as to include the following additional information:

### I. IDENTIFICATION OF PRIOR ART – PATENT LOCAL RULE 3-3(a)

### A. Prior Art Patents and Printed Publications

The table attached as Supplemental Exhibit A identifies prior art that (1) is applicable to the asserted patent claims and (2) was not known to biolitec at the time of its March 13, 2009 Invalidity Contentions.

### II. WHETHER THE PRIOR ART ANTICIPATES OR RENDERS OBVIOUS – PATENT LOCAL RULE 3-3(b)

The additional prior art references being added to biolitec's Invalidity Contentions disclose the use of tumescent anesthesia technique for venous procedures and therefore qualify as "Category B" references as defined in Section II of biolitec's Invalidity Contentions as originally served ("Combining Endovenous Procedures with Tumescent Anesthesia").

It would have been obvious to incorporate the use of tumescent anesthesia as disclosed in these additional Category B references when performing the varicose vein treatment procedures disclosed in the "Category A" references as defined in Section II of biolitec's Invalidity

Contentions as originally served. The additional category B prior art describes many advantages of using tumescent anesthesia for varicose vein surgery. For example, tumescent anesthesia was known to reduce perioperative bleeding. E.g., Mercier (115); Mercier (116). It was also known to reduce postoperative bruising and pain. E.g., Mercier (115); Mercier (116). Tumescent anesthesia was also known to permit even truncal varicose vein treatments to be performed on an outpatient basis. E.g., Mercier (116), Sattler (118). It was also known to be an extremely safe

anesthetic technique. E.g., Sagoo (119). Sattler (117) indeed taught that the application of tumescent anesthesia to varicose vein treatment included, but "extend[ed] beyond," vein stripping.

Given the known advantages of tumescent anesthesia for varicose vein surgery, a person of ordinary skill in the art would have been motivated to use the technique when performing the endovenous procedures disclosed in the Category A references.

When combined with the endovenous procedures disclosed in Category A, the tumescent anesthesia protocols disclosed in Category B would necessarily cause the tissue surrounding the vein to swell and become tumescent, thus compressing and exsanguinating the veins being treated. For example, Mercier (115) discloses infiltrating 500-600 mL of fluid and notes that the tumescent anesthesia technique was associated with much less perioperative bleeding than alternatives. Mercier (116) discloses using up to 900 mL and notes that "compression" is one of the reasons for the reduced blood loss. Sagoo (119) discloses infiltrating up to 1000 mL.

The known compressive effect of tumescent anesthesia is an independent reason why it would have been obvious to incorporate tumescent anesthesia from Category B when performing the endovenous procedures disclosed in Category A. Indeed, it was known that "large volumes of fluid" make tissues "swollen and firm ('tumescent'), resulting in a considerable compression of the vascular structures." Samdal et al, *Blood Loss During Liposuction Using the Tumescent Technique*, Aesth. Plast Surg. 18:157-160 (1994) (BIO098574).

'084 claims 1-2 and 18-21, '803 claims 1-2 and 7, and '355 claims 1-2, 7, 12, and 21-25 are therefore invalid as obvious over the previously-identified category A references in light of the newly-identified category B references for the same reasons that those claims are obvious over the category A references in light of the previously-identified category B references.

Representative examples (i.e., concerning specific category A references) were provided in Part II.A.1 of biolitec's Invalidity Contentions as originally served.

'433 claims 1 and 10 and '970 claims 1-3, 8-9, 13, 15, 17, and 19-20 are likewise invalid as obvious over the previously-identified category C references (see Part II.A.2 of biolitec's original Invalidity Contentions) in light of the newly-identified category B references<sup>1</sup> for the same reasons that those claims are obvious over the category C references in light of the previously-identified category B references.

### III. IDENTIFICATION OF LOCATION IN PRIOR ART WHERE ELEMENTS ARE FOUND – PATENT LOCAL RULE 3-3(c)

Subject to the qualifications noted elsewhere in these contentions, Supplemental Exhibits B and C are tables that indicate where in each newly-identified prior art reference the applicable limitations of the asserted claims may be disclosed.<sup>2</sup> Some references may include multiple disclosure of specific limitations. The charts are not intended to identify every instance in which a particular prior art reference may disclose a particular limitation. Rather, the charts are designed to identify sufficient language for VNUS to appreciate the content of the reference. In addition, while biolitec has identified the language in each reference that could encompass the identified limitation, it should be understood that the language identified will be construed based upon what it discloses to one of ordinary skill in the art, which may be influenced by the context of the entire document, background materials (including but not limited to the items identified in Exhibit D) and general knowledge.

<sup>&</sup>lt;sup>1</sup> Newly-identified Category B references 115, 116, and 117 were publicly available before the claimed September 11, 1997 priority date of the '433 and '970 patents. As noted in biolitec's original contentions, moreover, biolitec does not concede that any of the asserted '433 and '970 claims are entitled to the September 11, 1997 priority date that VNUS asserts.

Dated: February \_\_\_, 2010

By:

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<sup>&</sup>lt;sup>2</sup> For efficiency, certain claim limitations have been combined into a single invalidity chart. Depending on the date of priority to which each claim is ultimately found to be entitled, some references may be prior art to some claims of some patents, but not other claims of other patents.

## SUPPLEMENTAL EXHIBIT A

### INDEX OF PRIOR ART

Ref. No.	Article/Patent (including title, author, date etc.)	Production Number	Type of Reference for '084 Patent	Type of Reference for '803 Patent	Type of Reference for '355 Patent	Type of Reference for '433 Patent	Type of Reference for '970 Patent
115.	MERCIER, J.F., Tumescent Anesthesia for Stripping of the Greater Saphenous Vein by Invagination, Abstract presented at North American Society of Phelbology's 10 <sup>th</sup> Annual Congress (November 1996).	BIO098562	Claim 1 – 103 Claim 2 – 103 Claim 18 – 103 Claim 19 – 103 Claim 20 – 103 Claim 21 – 103	Claim 1 – 103 Claim 2 – 103 Claim 7 – 103	Claim 1 – 103 Claim 2 – 103 Claim 7 – 103 Claim 7 – 103 Claim 12 – 103 Claim 21 – 103 Claim 22 – 103 Claim 23 – 103 Claim 24 – 103 Claim 25 – 103	Claim 10 – 103 Claim 10 – 103	Claim 1 – 103 Claim 2 – 103 Claim 3 – 103 Claim 8 – 103 Claim 9 – 103 Claim 13 – 103 Claim 15 – 103 Claim 17 – 103 Claim 19 – 103 Claim 19 – 103
116.	MERCIER, J.F., Tumescent Anesthesia for Stripping of the Greater Saphenous Vein, slides presented at North American Society of Phelbology's 10 <sup>th</sup> Annual Congress (November 1996).	BIO098504	Claim 1 – 103 Claim 2 – 103 Claim 18 – 103 Claim 19 – 103 Claim 20 – 103 Claim 21 – 103	Claim 1 – 103 Claim 2 – 103 Claim 7 – 103	Claim 1 – 103 Claim 2 – 103 Claim 2 – 103 Claim 7 – 103 Claim 12 – 103 Claim 21 – 103 Claim 22 – 103 Claim 23 – 103 Claim 24 – 103 Claim 25 – 103	Claim 10 – 103 Claim 10 – 103	Claim 1 – 103 Claim 2 – 103 Claim 2 – 103 Claim 3 – 103 Claim 8 – 103 Claim 9 – 103 Claim 13 – 103 Claim 15 – 103 Claim 17 – 103 Claim 19 – 103 Claim 20 – 103
117.	SATTLER, G., Tumescence Anesthesia, Hautazrt 48:504 (1997)	BIO098576	Claim 1 – 103 Claim 2 – 103 Claim 18 – 103 Claim 19 – 103 Claim 20 – 103 Claim 21 – 103	Claim 1 – 103 Claim 2 – 103 Claim 7 – 103	Claim 1 – 103 Claim 2 – 103 Claim 2 – 103 Claim 12 – 103 Claim 12 – 103 Claim 21 – 103 Claim 23 – 103 Claim 24 – 103 Claim 25 – 103	Claim 10 – 103 Claim 10 – 103	Claim 1 – 103 Claim 2 – 103 Claim 3 – 103 Claim 8 – 103 Claim 8 – 103 Claim 9 – 103 Claim 15 – 103 Claim 15 – 103 Claim 17 – 103 Claim 19 – 103 Claim 20 – 103

Ref. No.	Article/Patent (including title, author, date etc.)	Production Number	Type of Reference for '084 Patent	Type of Reference for '803 Patent	Type of Reference for '355 Patent	Type of Reference for '433 Patent	Type of Reference for '970 Patent
118.	SATTLER, G, et al, The Importance of Tumescence Local Anesthesia in Outpatient Varices Surgery, Vasomed, 1997, p. 16	BIO098565	Claim 1 – 103 Claim 2 – 103 Claim 18 – 103 Claim 19 – 103 Claim 20 – 103 Claim 21 – 103	Claim 1 – 103 Claim 2 – 103 Claim 7 – 103	Claim 1 – 103 Claim 2 – 103 Claim 7 – 103 Claim 12 – 103 Claim 21 – 103 Claim 22 – 103 Claim 23 – 103 Claim 24 – 103 Claim 25 – 103	Claim 10 – 103 Claim 10 – 103	Claim 1 – 103 Claim 2 – 103 Claim 3 – 103 Claim 8 – 103 Claim 9 – 103 Claim 13 – 103 Claim 15 – 103 Claim 15 – 103 Claim 17 – 103 Claim 19 – 103 Claim 20 – 103
119.	SAGOO, K.S., Safe Plasma Prilocaine Concentrations (PPC) After Tumescence Local Anesthesia (TLA) in Varices Surgery, Vasomed, 1997, p. 16	BIO098565	Claim 1 – 103 Claim 2 – 103 Claim 18 – 103 Claim 19 – 103 Claim 20 – 103 Claim 21 – 103	Claim 1 – 103 Claim 2 – 103 Claim 7 – 103	Claim 1 – 103 Claim 2 – 103 Claim 7 – 103 Claim 12 – 103 Claim 21 – 103 Claim 22 – 103 Claim 23 – 103 Claim 24 – 103 Claim 25 – 103	Claim 10 – 103 Claim 10 – 103	Claim 1 – 103 Claim 2 – 103 Claim 3 – 103 Claim 8 – 103 Claim 9 – 103 Claim 13 – 103 Claim 15 – 103 Claim 15 – 103 Claim 17 – 103 Claim 19 – 103 Claim 20 – 103

### SUPPLEMENTAL EXHIBIT B

# INVALIBITY CLAIM CHART FOR VNUS's '433, '803, AND '970 PATENTS¹

'803 claim 1	'803 claim 1 cont'd	'803 claim 1 cont'd		*803 claim 1 cont'd	'803 claim 1 cont'd	'803 claim 2
A method of applying energy to a hollow anatomical structure comprising the steps of:	re working end into the hollow anatomical structure;	positioning the working end of the catheter at a treatment site within the hollow anatomical structure;		administering a fluid into the tissue near the treatment site to cause swelling and compress the follow anatomical structure to a reduced size around the catheter; and	administering a fluid into the tissue near the reament site to cause swelling and compress the bollow anatomical structure to a reduced size around that the bollow anatomical structure durably assumes a reduced size to effectively occlude the hollow anatomical structure.	applying energy to the hollow anatomical structure at the The method of claim 1 further comprising the step of moving treatment site from the working end of the catheter along the hollow anatomical structure during the step of applying energy.  Included size to effectively occlude the hollow anatomical structure.
'433 claim 1	'433 claim 1 cont'd		'433 claim 1 cont'd		'433 claim 1 cont'd	'433 claim 1 cont'd
A method of applying energy to a vein to cause the vein to durably assume a reduced diameter, the method comprising the steps of:	iy to introducing a catheter having a working end into a vein having an inner wall;		pre-shaping the vein such that the inner wall of the vein is brought toward the working end of the catheter so as to reduce the diameter of the vein;		applying energy from the working end of the catheter to the vein so as to cause the vein to durably assume a diameter at least as small as the reduced diameter achieved in the step of pre-shaping the inner wall of the vein toward the working end of the catheter;	moving the catheter along the vein during the step of applying energy.
'970 claim 1	'970 claim 1 cont'd		'970 claim 1, cont'd: flattening the vein such that the inner wall of the vein is brought toward a distal region of		'970 claim 1, cont'd	1970 claim 1, cont'd: retracting the elongate member along the vein during the step of applying energy.
A method of treating venous insufficiency, the method	s introducing an elongate member into a vein having an inner wall;	Se con	the elongate member;		applying energy from the distal region of the elongate member to the vein to create a thermal effect in the vein	'970 claim 2: The method of claim 1, wherein a lengthy
comprising the steps of:			'970 claim 13: The method of claim 1, wherein the step of Tattening the vein includes the step of compressing the anatomy surrounding the vein at the location of the distal region of the elongate member.		so as to reduce the diameter of the vein and lead to occlusion of the vein;	occlusion is formed along the area of the vein in which the elongate member is retracted during the step of applying energy.
970 claim 15	'970 claim 15 cont'd		'970 claim 15 cont'd: moving the inner wall of the vein toward the axis of the elongate member at a distal region		970 claim 15 cont'd	'970 claim 15 cont'd
A method of treating venous insufficiency, the method		L	of the elongate member, independently of the elongate member;		applying energy from the distal region of the elongate member to the vein to create a thermal effect in the vein	retracting the clongate member along the vein during the step of applying energy to form an occlusion along the area of the vein
comprising the steps of:	having an inner wall;		'970 claim 17: The method of claim 15, wherein the	<u></u>	so as to reduce the diameter of the vein and lead to occlusion of the vein:	where the elongate member is retracted during the step of applying energy.
			step of moving the vein includes the step of compressing the anatomy surrounding the vein at the location of the distal region of the elongate member.			مللہ استاد مستوری
115			Title: "Tumescent Anesthesia for Stripping of the Greater Saphenous Vein by Invagination"	Saphenous Vein by Invagination"		
			"For the [stripping] operation, the inner thigh and log were infiltrated with 500 to 600 cc of the anesthetic stollation	infiltrated with 500 to 600 cc of the anesthetic nesthesia for similar venous stripping procedures, erative bleeding"		
116			Title: "Tumescent Anesthesia for Stripping of the Greater Saphenous Vein"	Saphenous Vein"		
			"Tumescent Anesthesia for GSV Stripping600-900 CC of Formula (1 Leg)Distension; Compression; Vasoconstriction – [Reduced] Blood Loss" (B10098515 and B10098525).	C of Formula (1 Leg)Distension; Compression; and BIO098525).		
117			Title: "Tumescence Anesthesia"			
			"Tumescere comes from the Latin and means to expand, inflate. Expanding or inflating tissue means to inject rather large amounts of fiquid into a target area, to pull apart tissue structures by an introgenically induced interstitial tension effect The interstitial pressure will lift off tissue layers from each other with no further sungicial measures. The resulting fields of application in the context of dermatological surgery and phebosurgery extend beyond vein stripping and paratibial fasciotomy"	uflate. Expanding or inflating tissue means to inject art tissue structures by an iatrogenically induced if off itssue layers from each other with no further the context of dernatological surgery and fasciotomy		
118			Title: "The importance of tumescence local anesthesia in outpatient varices surgery"	nutpatient varices surgery"		
			"Tumescence local anesthesia is a local numbing procedure in which large amounts of heavily diluted topical anesthesia pricted into the operating field[A] total of 104 vein operations were performed in tumescence local anesthesia. The treatment outcomes of crossectionies and stripping of the V, saphena magn and the V, saphena parea are presented."	schesia is a local numbing procedure in which large amounts of heavily diluted topical into the operating field[A] total of 104 vein operations were performed in behas. The treatment outcomes of crossectomies and stripping of the V. saphena magna va are presented."		
119			Title "Safe plasma prilocaine concentrations (PPC) after tumescence local anesthesia (TLA) in varices surgery""	imescence local anesthesia (TLA) in varices		
			"During TLA, large volumes of up to 1 liter or more of turnescence solutionare infiltrated subcutaneously along the veins being operated upon."	nescence solutionare infiltrated subcutaneously		

1 For efficiency, certain claim limitations have been combined into a single invalidity chart. Depending on the date of priority to which each claim is ultimately found to be entitled, some references may be prior art to some claims of some patents, but not other claims of other patents.

### SUPPLEMENTAL EXHIBIT C

## INVALIDITY CLAIM CHART FOR VNUS's '084 and '355 PATENTS

	'084 claim 1	'084 claim 1 cont'd	'084 claim 1 cont'd	'084 claim 1 cont'd	'084 claim 1 cont'd		'084 patent claim 2		
	A method of applying energy to a hollow anatomical structure from within the hollow portion of the structure, the method comprising the steps of:	introducing a catheter having a working end with an energy application device at the working end into the hollow anatomical structure;	positioning the working end of injecting a turnescent fluid the culterer proximate a solutionin on seederd issu- treatment site within the hollow anatomical structure; to cause the issue to becon to cause the compress the hollow anatomical structure treatment site to a compress size, and	injecting a tumescent fluid solution into selected tissue that is in contact with the treatment site to cause the tissue to become tumescent and compress the hollow anatomical structure at the treatment site to a compressed size; and	applying energy to the compressed hollow ananomical structure at the treatment site via the energy application device until the hollow anatomical structure hubby assumes a smaller size.	<del>.</del>	The method of claim 1 wherein the step of injecting a tumescent fluid solution solution comparises the step of injection coungly tumescent fluid solution into the tissue such that the tumescent tissue compresses the treatment site sufficiently to exsunguinate blood from the hollow portion of the hollow anatomical structure at the treatment site.		
	'084 claim 18	'084 claim 18 cont'd		'084 claim 18 cont'd	'084 claim 18 cont'd	'084 claim 18 cont'd	'084 patent claim 19	'084 patent claim 20	'084 patent claim 21
	A method of applying energy to an inner wall of a vein from whith the vein along a treatment portion, the method comprising the steps of:	introducing a catheter having a working end with an energy application device at the working end into the treatment portion;		injecting a tumescent fluid colling in debeted fissue outside the vein but in contact with the vein at the treatment site to cause the tissue to become tumescent and compress to be the treatment site to a the treatment site to a compressed size;	applying energy to the compressed vein at the treatment site via the energy application device; and	withdrawing the catheter.	The method of claim 18 wherein the step of injecting a tumescent fluid solution comparises the step of injecting enough tumescent that solution into the tissue such that the tumescent tissue compresses the treatment site sufficiently to exsunguinate blood from the hollow portion of the hollow anatomical structure at the treatment site.	The method of claim 18 further comprising the stop of moving the energy application device along the energy application device along the steps of applying energy so as to result in a trughty occlusion of the treatment site.	The method of claim 18 wherein the step of inoving the energy application device comprises moving the energy application device dougong the retarment site while performing the step of applying energy such that the vein collapses around the energy application devices about a site while performing the step of devices as it is being moved.
	'355 claim 1 A method of applying energy to a hollow anatomical structure comprising the steps of:	1-355 claim 1 cont'd introducing an elongate member into the hollow anatomical structure; advancing the elongate member within the hollow anatomical structure;	1355 claim 1 cont'd positioning a distal end of the eleogent member at or man a treatment site within the hollow anatomical structure;	*355 claim 1 cont'd administering fluid around the blow automical structure at the treatment site to cause the wall off the hollow anatomical structure to move towards the distal end of the elongate member;	1.355 claim I cont'd and applying energy to the hollow amornical structure at the treatment site from the distal end of the clongate member.		3.55 chim 12: The method of claim 1 wherein a sufficient volume of fluid is administered to cause the issue surrounding the hollow anatomical structure at the trainment site to become tumescent.  3.55 chim 24: The method of claim 1, wherein administering fluid at the reatment site comprises administering tumescent fluid at the reatment site comprises administering tumescent fluid solution into issue around the hollow manomical structure and thereby compressing the hollow portion of the hollow manomical structure and thereby compressing the hollow portion of the hollow manomical structure at the treatment site.  3.55 chim 25: The method of claim 1, where in administering fluid at the reatment site comprises administering fluid into the issue surrounding the hollow annomical structure to cause swelling and compress the hollow	'355 claim 2  The method of claim 1, further reporting the step of moving the classifier of of the clongue member along the hollow a natomical structure during the step of applying energy.	
115				Title: "Tumescent Anesthesia for Stripping of the Greater Saphenous Vein by Invagination"			Title: "Tumescent Anesthesia for Stripping of the Greater Saphenous Vein by Invagination"		
				"For the [stripping] operation, the inner thigh and leg were timerated with 500 to 600 cc of the anesthetic constitution of solutionCompared with conventional local or regional anesthesia for similar venous stripping procedures, tumescent anesthesia was associated with much less procedured with bleeding			"For the Israpping logeration, the inter thigh and log wore infiltrated with 500 to 600 c. of the aneathetic solution Compared with conventional local or regional aneathesia for similar venous stripping procedures, tumescent aneathesia was associated with much less preoperative bleeding"		
116				Tride: "Tumescent Anesthesia for Suripping of the Greater Saphenous Vein" "Tumescent Anesthesia for GSV Stripping600-900 CC of Formula (1 Leg) Distension; Formula (1 Leg) Distension; [Reduced] Blood Loss" (BiO098515 and BIO098525).			Title: "Tumescent Anesthesia for Stripping of the Greater Suphenous Vein" "Tumescent Anesthesia for GSV Stripping600-900 CC of Formula (1 Leg) Distension; Compression; Vasoconstriction – [Reduced] Blood Loss" (BIO008515 and BIO008525).		

			n the cation sergy atment f sin dication							
		'084 patent claim 21	The method of claim 18 wherein the step of moving the energy application device comprises moving the energy application devices along the treatment site while performing the step of applying energy such that the vein collapses around the energy application devices as it is being moved.							
		'084 patent claim 20	The method of claim 18 further remorbising the step of moving the energy application device along the returnent site while performing the step of applying energy so as to result in a lengthy occlusion of the treatment site.	'355 claim 2	The method of claim 1, further comprising the exp of moving the distal end of the elongate member along the hollow automical structure during the step of applying energy.					
'084 patent claim 2	The method of claim 1 wherein the step of injecting a tumescent fluid solution comprises the step of injection enough tumescent fluid solution into the lisase such that the tumescent tissue compresses the treatment site sufficiently to essanguiante blood from the hollow portion of the hollow anatomical structure at the treatment site.	'084 patent claim 19	The method of claim 18 wherein the step of injecting a tumescent fluid solution conveyes the step of injecting tought tumescent fluid solution into the tissue such that the tumescent tissue compresses the treatment site sufficiently to exsanguiante blood from the hollow portion of the hollow anatomical structure at the treatment site.	355 claim 12: The method of claim 1 wherein a sufficient volume of fluid	is administered to cause the issue surrounding the hollow anatomical structure at the treatment site to become tumescent.  355 claim 24: The method of claim 1, wherein administering fluid at the treatment site comprises administering tumescent fluid solution into tissue treatment site comprises administering unusescent fluid solution into tissue around the ballow anatomical structure and thereby compressing the hollow anatomical structure and thereby compressing the hollow portion of the hollow manionical structure at the treatment site.	'955 claim 25: The method of claim 1, wherein administering fluid at the treatment site comprises administering fluid into the tissue surrounding the hollow anamonical structure to cause swelling and compress the hollow anamonical structure to a reduced size around the elongate member.	Title: "Tumescence Anesthesia"	"Tumescere comes from the Latin and means to expand, inflate. Expanding or inflating itseus means to inject inther trige amounts of fiqual into a target area, to pall apart issues tractures by an introgenically induced intestitial entition of the part of the	Title: "The importance of tumescence local anesthesia in outpatient varices	surgery "Immescence local anesthesia is a local numbing procedure in which large "Immescence local anesthesia is a local numbing more directed into the operating field[A] total of I (by vein operations were performed in unassecnce local anesthesia. The treatment outcomes of crossectomics and stripping of the V. suphena magna and the V. suphena parva are presented."
		'084 claim 18 cont'd	withdrawing the catheter.							
'084 claim 1 cont'd	applying energy to the compressed hollow anatomical structure at the treatment site via the energy application device until the hollow anatomical structure durably assumes a smaller size.	'084 claim 18 cont'd	applying energy to the compressed vein at the treatment site via the energy application device; and	'355 claim 1 cont'd	and applying energy to the hollow anatomical structure at the treatment site from the distal end of the elongate member.					
'084 claim 1 cont'd	injecting a tumescent fluid solution into selected issue that is in contact with the treatment site to cause the tissue to become tumescent and compress the hollow anatomical structure at the treatment site to a compressed size; and	'084 claim 18 cont'd	injecting a tumescent fluid consider a desired fluid contact outside the vein but in contact with the vein at the treatment site to cause the fissue to become tumescent and compress to well the treatment site to a fluid the treatment site to a compressed over the treatment site to a compressed size;	'355 claim 1 cont'd	administering fluid around the and applying energy to the hollow anatomical structure at the hollow anatomical structure the hollow anatomical structure the hollow anatomical structure to distal end of the clongate move towards the distal end of the member.		Title: "Tumescence Anesthesia"	"Tunessere comes from the Latin man due not be spand, inflate. Expanding or inflating tissue mans to inject trather large amounts of liquid in a target amounts of liquid in a target area, to pull apart tissue structures by an interportiually induced interstitial tension effect[The interstital pressure will lift of instensitial pressure will lift of itsue layers from each other with measuresThe resulting fields of application in the context of application in the context of application in the arranger extend beyond vein striping and paratibial fassionny"	Title: "The importance of	unmescence local anestnesa in outpeatent varices surgery."  "Turnescence local anesthesis is a local numbing procedure in which allocal numbing procedure in which topical anesthesic are injected into topical anesthesic are injected into 104 ven operations were performed in turnescence local methods. The performed in turnescence local entertiesa. The treatment outcomes of cross-ectomics and stripping of the V. saphena magna and the V. saphena parva are presented."
'084 claim 1 cont'd	positioning the working end of injecting a turnscent fluid the catheter proximate a solution into selected issues treatment site within the in contact with the treatmen hollow anatomical structure; to cause the fissue to become turnscent and compress in hollow anatomical structure treatment site to a compress store; and			'355 claim 1 cont'd	positioning a distal end of the elongate member at or near a treatment site within the hollow anatomical structure;					
'084 claim 1 cont'd	introducing a catheter having a working end with an energy application device at the working end into the hollow anatomical structure;	'084 claim 18 cont'd	introducing a catheter having a working end with an energy application device at the working end into the treatment portion;	'355 claim 1 cont'd	introducing an elongate member into the hollow anatomical structure; advancing the elongate member within the hollow anatomical structure;					
,084 claim 1	A method of applying energy to a hollow anatomical structure from within the hollow portion of the structure, the method comprising the steps of:	'084 claim 18	A method of applying energy to an inner wall of a vein from within the vein along a treatment portion, the method comprising the steps of:	'355 claim 1	A method of applying energy to a hollow anatomical structure comprising the steps of:					
							117		118	

		'084 patent claim 21	The method of claim 18 wherein the step of moving the energy application device comprises moving the energy application device dough the treatment site while performing the step of applying energy such that the voin collapses around the energy application claims as well and the view of the energy application devices as it is being moved.									
		'084 patent claim 20	The method of claim 18 further comprising the step of frowing the energy application devices along the energy application devices along the step of applying energy so as to result in a lengthy occlusion of the trenment as	'355 claim 2	The method of claim 1, further	comprising the step of moving the distal end of the clongate member along the hollow anatomical	structure during the step of applying energy.					
'084 patent claim 2	The method of claim 1 wherein the step of injecting a tumescent fluid solution stoollates to expositives the step of injection mough tumescent fluid solution into the tissue such that the tumescent itsue compresses the treatment site sufficiently to exsanguinate blood from the hollow portion of the hollow anatomical structure at the treatment site.	'084 patent claim 19	The method of claim 18 wherein the step of injecting a tumescent fluid solution consyries the step of rijecting rough tumescent fluid solution into the tissue such that the tumescent tissue compresses the treatment site sufficiently to exsanguinate blood from the hollow portion of the hollow anatomical structure at the treatment site.	'355 claim 12: The method of claim 1 wherein a sufficient volume of fluid	is administered to cause the usage surrounding the hollow anatomical structure at the treatment site to become tumescent.	'955 caim 24: The method of claim I, wherein administering fluid at the freatment site comprises administering tumescent fluid solution into tissue	around the hollow anatomical structure and thereby compressing the hollow anatomical structure sufficiently to exsanguinate blood from the hollow portion of the hollow anatomical structure at the treatment site.	935 chain 25: The method of claim 1, wherein administering fluid at the treatment site comprises administering fluid into the tissue surrounding the bollow anatomical structure to cause swelling and compress the hollow anatomical structure to a reduced size around the clongate member.	Title "Safe plasma prilocaine concentrations (PPC) after tumescence local anesthesia (TLA) in varices surgery""	"During TLA, large volumes of up to 1 liter or more of tumescence solutionare infiltrated subcutaneously along the veins being operated	nbon."	
		'084 claim 18 cont'd	withdrawing the catheter.									
'084 claim 1 cont'd	applying energy to the compressed hollow ananomical structure at the treatment site via the energy application device until the hollow anatomical structure durably assumes a smaller size.	'084 claim 18 cont'd	applying energy to the compressed vein at the treatment site via the energy application device; and	'355 claim 1 cont'd	and applying energy to the	hollow anatomical structure at the treatment site from the distal end of the elongate	member.					
'084 claim 1 cont'd	that is at the sed	'084 claim 18 cont'd	injecting a turnescent fluid condition insoleted issue outside the vein but in contact with the vein a the treatment site to cause the tissue to become turnescent and compress the vein at the treatment site to a compressed size;	'355 claim 1 cont'd	administering fluid around the	hollow anatomical structure at the treatment site to cause the wall of the hollow anatomical structure to	move towards the distal end of the elongate member;		Title "Safe plasma prilocaine concentrations (PPC) after tumescence local anesthesia	(TLA) in varices surgery""	"During TLA, large volumes of up to 1 liter or more of	tumescence solutionare infiltrated subcutaneously along the veins being operated upon."
'084 claim 1 cont'd	positioning the working end of injecting a turnsscent fluid the cuthert proximal a solution into selected issue the treatment site within the notation of the cuther of th			'355 claim 1 cont'd	positioning a distal end of the	e longate member at or near a treatment site within the hollow anatomical structure;						
'084 claim 1 cont'd	introducing a catheter having a working end with an energy application device at the working end into the hollow anatomical structure;	'084 claim 18 cont'd	introducing a catheter having a working end with an energy application device at the working end into the treatment portion;	'355 claim 1 cont'd		into the hollow anatomical structure;	advancing the elongate member within the hollow anatomical structure;					
'084 claim 1	A method of applying energy to a hollow anatomical structure from within the hollow portion of the structure, the method comprising the steps of:	.084 claim 18	A method of applying energy introducing a catheter having to an inner wall of a vein moved gend with an energy within the vein along a application device at the treatment portion, the method working end into the treatme comprising the steps of:  portion;	'355 claim 1	nergy	to a hollow anatomical into the historic structure comprising the steps structure; of:						
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